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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

GARY J. SANTONE

Defendant.

ORDER OF FORFEITURE
08 Cr. 345 (APC)

WHEREAS, on or about April 21, 2008, GARY J. SANTONE (the "defendant") was charged in a two-count Information 08 Cr. 345 (RPC) (the "Information") with conspiracy to commit mail fraud, in violation of 18 U.S.C. § 1349 (Count One); and mail fraud, in violation of 18 U.S.C. § 1341, 1346, and 2 (Count Two);

WHEREAS, the Information included a forfeiture allegation seeking, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses alleged in the Information, including but not limited to, a sum of money equal to at least \$320,594.60 in United States currency, representing the proceeds obtained as a result of the offenses charged in the Information;

WHEREAS, on or about April 30, 2008, the defendant pled guilty to the Information and agreed to a forfeiture money judgment in the amount of \$113,318.60 in U.S. currency; and

WHEREAS, on or about September 3, 2008, the defendant was sentenced and ordered to forfeit a total of \$113,318.60 in

United States Currency, representing the amount of proceeds obtained as a result of the offenses charged in the Information for which he pled guilty;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offenses in the Information, for which the defendant pled guilty, a money judgment in the amount of \$113,318.60 shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, this Order of Forfeiture shall be final as to the defendant, GARY J. SANTONE, at the time of sentencing and shall be made part of the sentence of said defendant, and shall be included in the judgment of conviction therewith.

3. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Order of Forfeiture the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of the property, including depositions, interrogatories, requests for production of documents and to issue subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

4. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the "United States Marshals Service", and delivered by mail to the United States Attorney's


Office, Southern District of New York, Attn: Asset Forfeiture Unit, One St. Andrews Plaza, New York, New York 10007.

5. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

6. The Clerk of the Court shall forward four certified copies of this Order to Assistant United States Attorney, Sharon Cohen Levin, One St. Andrew's Plaza, New York, New York 10007.

Dated: New York, New York
September 3, 2008

SO ORDERED:


HONORABLE KEVIN P. CASTEL
UNITED STATES DISTRICT JUDGE